

## CITY OF MIDLAND TEMPORARY USE PERMIT GUIDELINES

**This permit application is intended to be used for temporary outdoor uses with or without structures associated with the use.**

**The application must be submitted to the City of Midland Planning office two weeks prior to the intended beginning of the activity on the attached form. The following list contains the requirements for temporary outdoor uses:**

1. **Fee:** A temporary use permit fee shall be established by the City Council.
2. **Issuer:** The Zoning Administrator may issue temporary use permits.
3. **Time Period for permits**
  - **First Permit:** An initial permit for sixty (60) days may be issued unless otherwise stated in these regulations, after determining that these uses will not be detrimental to adjacent conforming uses during the permitted period of use.
  - **Second Permit:** A second temporary use permit may be issued at the end of a time limit if the applicant shows good cause for up to thirty (30) additional days, not to exceed ninety (90) days in one calendar year.
  - All activity must take place between the hours of 7:00am and 9:00pm.
4. **Conditions:** The Zoning Administrator may attach the conditions and requirements deemed necessary to meet the intent of this permit.
5. **Rental cargo units, pods, containers:** These structures are permitted only when the residence or business is involved in a renovation, construction, or moving activity for up to thirty (30) days. A second temporary use permit may be issued by the Zoning Administrator at the end of a time limit if the applicant shows good cause for an additional thirty (30) days.
6. **Site Plan:** A site plan shall be required with each permit application and shall show the location of sales outside the required setbacks for the zoning district in which you propose to locate. The drawing must be signed by the owner of the parcel.
7. **Shelter:** Structures used for the sale or display of outdoor items shall not be used for human shelter overnight.
8. **Setback:** Temporary uses including display or sale of items shall not be located within the required setback for the zoning district in which it is located and shall provide for clear vision area at each intersection or driveway.
9. **Parking:** Adequate off street parking shall be maintained at all times and shall not displace required off street parking or cause parking or traffic congestion on adjacent streets or properties. Barrier free accessible parking must be provided according to the requirements of the City of Midland Zoning Ordinance.
10. **Traffic Control:** Where traffic control is required by the City of Midland the cost of barricades and staff shall be assessed to the applicant.

11. **Human Consumption items:** Temporary uses selling items for human consumption on site shall be subject to all Health Department regulations. Uses serving these items shall have access to hand washing and toilet facilities.
12. **Signage:** Temporary signage shall be permitted as described in Article 8.00, Sign Regulations of the City of Midland Zoning Ordinance. Questions about signage may be directed to John Wegner, Chief Building Inspector, at 837-3390.
13. **Lighting:** All lighting must comply with the City of Midland adopted building code and Zoning Ordinance.
14. **Electrical:** All electrical provisions are subject to the City of Midland's adopted Electrical Code. All temporary wiring must be properly sized, protected and secured.
15. **Construction:**
  - Temporary structures shall not have a permanent foundation, move in any way or become unattached due to wind.
  - Temporary structures may not be a mobile or modular structure that can be towed or a semi trailer except in the case of fireworks storage or sales.
  - Rental cargo units, pods, or containers are permitted only when the residence or business is involved in a renovation, construction or moving activity or the temporary use is fireworks storage or sales.
  - Temporary structures for the sale of goods or otherwise intended for public use and entry must meet building code requirements for barrier free access and means of egress. Construction documents may be required.
16. **Removal:** Structures of any kind must be removed within three days of the expiration of the permit. Merchandise, signage, waste, debris and all equipment used on the site shall also be removed.
17. **Garbage:** Provisions for garbage collection and storage on site must be made. Garbage must be disposed of on a daily basis.
18. **Tents:** The Fire Department issues a tent permit for all temporary membrane structures in excess of 200 square feet regardless of their use.



City of Midland  
Application for Temporary Use Permit

Submission Date: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone number: (\_\_\_\_) \_\_\_\_\_

Cell phone: (\_\_\_\_) \_\_\_\_\_

Email address: \_\_\_\_\_

Fax: (\_\_\_\_) \_\_\_\_\_

Owner's Signature: \_\_\_\_\_

Applicant Name (if not owner): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone number: (\_\_\_\_) \_\_\_\_\_

Cell phone: (\_\_\_\_) \_\_\_\_\_

Email address: \_\_\_\_\_

Fax: (\_\_\_\_) \_\_\_\_\_

Applicant's Signature (if not owner): \_\_\_\_\_

Please attach a copy of a site plan for the property and describe the nature of the activity to be conducted.

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Will any food be sold or distributed? Yes \_\_\_\_\_ No \_\_\_\_\_

Do you plan to use any portion of a city street or sidewalk? Yes \_\_\_\_\_ No \_\_\_\_\_

Will your event have amplified sound associated with it? Yes \_\_\_\_\_ No \_\_\_\_\_

Do you require additional public safety? Yes \_\_\_\_\_ No \_\_\_\_\_

Will there be a public gathering of greater than 25 persons? Yes \_\_\_\_\_ No \_\_\_\_\_

## CITY OF MIDLAND TEMPORARY USE PERMIT

Zoning Planning			
	YES	NO	NA
1. A complete site plan has been submitted, signed by owner of parcel			
2. Nature of activity is supplied			
3. Provision for garbage storage and collection provided			
4. Adequate parking has been provided			
5. Structure and uses are outside of setbacks			
6. Restrooms are available			
7. Public Safety/barricades			
Approved _____ Denied _____ Signed _____			
Building/Signs			
	YES	NO	NA
1. Structure is of suitable material and securely fastened			
2. Signage meet code			
3. Electrical meets code			
4. Lighting meets code			
5. Health Department approval has been obtained			
6. Meets building code for accessibility and means of egress			
Approved _____ Denied _____ Signed _____			
Fire Department			
	YES	NO	NA
1. Nature of products on site			
2. Fire extinguisher type and placement suitable			
3. Access to water supply			
4. Fire Department vehicle access			
5. Tent permit necessary – Exit signage (insert link to tent permit)			
6. Cooking operations			
7. Structure code compliant for intended use			
Approved _____ Denied _____ Signed _____			
First approved date of use _____  Last approved date of use _____  Required date for complete removal _____  Date use completely removed _____  Fee \$ _____ Paid _____			